

01-08-02

A

01/04/02
jc796 U.S. PTO

Practitioner's Docket No. 16644/09003CIP

PATENT

Preliminary Classification:
Proposed Class:
Subclass:

jc997 U.S. PTO
10/039677
01/04/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U. S. Patent & Trademark Office
Commissioner for Patents
Box Patent Application
Post Office Box 2327
Arlington, VA 22202

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Stephen Brian Falder; David Rawden

CERTIFICATION UNDER 37 C.F.R. § § 1.8(a) and 1.10*
(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional)

I hereby certify that, on the date shown below, this correspondence is being:

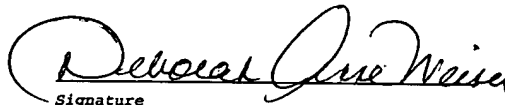
MAILING

- ☐ deposited with the United States Postal Service in an envelope addressed to the U. S. Patent & Trademark Office, Commissioner for Patents, Box Patent Application, P. O. Box 2327, Arlington, VA 22202
37 CFR 1.8a
- ☐ with sufficient postage as first class mail.

37 CFR 1.10
As "Express Mail Post Office to Addressee" Mailing Label
No. ET710728557US.

TRANSMISSION

- ☐ facsimile transmitted to the Patent and Trademark Office, 703 _____


Signature

Date: January 4, 2002

Deborah Anne Weiner

Type or print name of person certifying

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

For (title): ANTI-MICROBIAL COMPOSITION

1. Type of Application

This transmittal is for a continuation-in-part (C-I-P) application.

2. Benefit of Prior U.S. Application (35 U.S.C. Sections 119(e), 120, or 121)

The new application being transmitted claims the benefit of prior U.S. application.

3. Papers Enclosed

A. Required for filing date under 37 C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153 (Design) Application

56 Page(s) of Specification

7 Page(s) of Claims

4 Sheet(s) of Drawing(s)--Informal

B. Other Papers Enclosed

1 Page(s) of abstract

13 Page(s) of Preliminary Amendment

4. Declaration or Oath

Not Enclosed.

Application is made by a person authorized under 37 C.F.R. Section 1.41(c) on behalf of all of the above-named inventors.

5. Inventorship Statement

The inventorship for all the claims in this application is the same.

6. Language

English

20101010-22965001

7. **Assignment**

An assignment of the invention to Byotrol LLC will follow.

8. **Certified Copy**

Certified copies of applications:

| <u>Country</u> | <u>Application Number</u> | <u>Filed</u> |
|----------------|---------------------------|--------------|
| Great Britain | 0100155.1 | 01/04/2001 |
| United States | 09/756,457 | 01/08/2001 |

from which priority is claimed will follow.

9. Fee Calculation (37 C.F.R. Section 1.16)

Regular Application

| CLAIMS AS FILED | | | | | |
|--|--------------|---------------------|--------------|----------|---|
| Claims | Number Filed | Basic Fee Allowance | Number Extra | Rate | Basic Fee 37 CFR 1.16(a) \$740.00 |
| Total Claims (37 CFR 1.16(c)) | 59 | - 20 = | 39 x | \$18.00 | \$702.00 |
| Independent Claims (37 CFR 1.16(b)) | 5 | - 3 = | 2 x | \$84.00 | \$168.00 |
| Multiple Dependent Claim(s), if any (37 CFR 1.16(d)) | | | + | \$280.00 | \$0.00 |

Filing Fee Calculation \$

10. Fee Payment Being Made at This Time

| | |
|----------------------------|-------------------|
| Enclosed | |
| Filing Fee | \$1,610.00 |
| Total Fees Enclosed | \$1,610.00 |

11. Method of Payment of Fees

Charge Account No. 50-1196 in the amount of \$1,610.00.

A duplicate of this transmittal is attached.

12. Instructions as to Overpayment

Credit Account No. 50-1196.

13. Relate Back

A. 35 U.S.C. Sections 120, 121 and 365(c)

As set forth in the attached Preliminary Amendment, the specification is being amended by inserting, before the first line, the following sentence:

"This application is a continuation-in-part of copending application serial number 09/756,457 filed on January 8, 2001."

14. Relate Back--35 U.S.C. Section 119 Priority Claim for Prior Application

As set forth in the attached Preliminary Amendment, the specification is being amended by inserting, before the first line, the following sentence:

"This application claims priority under 35 U.S.C. Section 119 to Great Britain Application No. 0100155.1 filed on January 4, 2001."

15. Further Inventorship Statement Where Benefit of Prior Application(s) Claimed

a. This application discloses and claims additional disclosure by amendment and a new declaration or oath is being filed. With respect to the prior application, the inventors in this application are the same.

Date: 1/4/02

Reg. No.: 35,561

Tel. No.: 864-250-2260

Customer No.: 16644/0900


Signature of Practitioner

Neil C. Jones

Nelson Mullins Riley & Scarborough, LLP

Keenan Building, Third Floor

1330 Lady Street

Columbia, SC 29201

01/04/02
Jc796 U.S. PTO

PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 1610.00

Complete if Known

Application Number Unknown
Filing Date 01/04/2002
First Named Inventor Falder et al.
Examiner Name Unknown
Group Art Unit
Attorney Docket No. 16644/09003CIP

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:
- Deposit Account Number 50/1196
Deposit Account Name Nelson Mullins Riley & Scarborough
- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
☐ Applicant claims small entity status. See 37 CFR 1.27
2. ☐ Payment Enclosed:
- ☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | Small Entity | Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|--------------|--------------|----------|----------|----------|----------|------------------------|--------------|
| 101 | 201 | 740 | 370 | | | Utility filing fee | 740.00 |
| 106 | 206 | 330 | 165 | | | Design filing fee | |
| 107 | 207 | 510 | 255 | | | Plant filing fee | |
| 108 | 208 | 740 | 370 | | | Reissue filing fee | |
| 114 | 214 | 160 | 80 | | | Provisional filing fee | |
| SUBTOTAL (1) | | | | | | | (\$) 740.00 |

2. EXTRA CLAIM FEES

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| 59 | -20** = 39 | X 18.00 | = 702.00 |
| 5 | -3** = 2 | X 84.00 | = 168.00 |
| Multiple Dependent | | | |

| Large Entity | Small Entity | Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description |
|--------------|--------------|----------|----------|----------|----------|--|
| 103 | 203 | 18 | 9 | | | Claims in excess of 20 |
| 102 | 202 | 84 | 42 | | | Independent claims in excess of 3 |
| 104 | 204 | 280 | 140 | | | Multiple dependent claim, if not paid |
| 109 | 209 | 84 | 42 | | | ** Reissue independent claims over original patent |
| 110 | 210 | 18 | 9 | | | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$) 870.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity | Small Entity | Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|---------------------|--------------|----------|----------|----------|----------|--|----------|
| 105 | 205 | 130 | 65 | | | Surcharge - late filing fee or oath | |
| 127 | 227 | 50 | 25 | | | Surcharge - late provisional filing fee or cover sheet | |
| 139 | 139 | 130 | 130 | | | Non-English specification | |
| 147 | 147 | 2,520 | 2,520 | | | For filing a request for ex parte reexamination | |
| 112 | 112 | 920* | 920* | | | Requesting publication of SIR prior to Examiner action | |
| 113 | 113 | 1,840* | 1,840* | | | Requesting publication of SIR after Examiner action | |
| 115 | 215 | 110 | 55 | | | Extension for reply within first month | |
| 116 | 216 | 400 | 200 | | | Extension for reply within second month | |
| 117 | 217 | 920 | 460 | | | Extension for reply within third month | |
| 118 | 218 | 1,440 | 720 | | | Extension for reply within fourth month | |
| 128 | 228 | 1,960 | 980 | | | Extension for reply within fifth month | |
| 119 | 219 | 320 | 160 | | | Notice of Appeal | |
| 120 | 220 | 320 | 160 | | | Filing a brief in support of an appeal | |
| 121 | 221 | 280 | 140 | | | Request for oral hearing | |
| 138 | 138 | 1,510 | 1,510 | | | Petition to institute a public use proceeding | |
| 140 | 240 | 110 | 55 | | | Petition to revive - unavoidable | |
| 141 | 241 | 1,280 | 640 | | | Petition to revive - unintentional | |
| 142 | 242 | 1,280 | 640 | | | Utility issue fee (or reissue) | |
| 143 | 243 | 460 | 230 | | | Design issue fee | |
| 144 | 244 | 620 | 310 | | | Plant issue fee | |
| 122 | 122 | 130 | 130 | | | Petitions to the Commissioner | |
| 123 | 123 | 50 | 50 | | | Processing fee under 37 CFR 1.17(q) | |
| 126 | 126 | 180 | 180 | | | Submission of Information Disclosure Stmt | |
| 581 | 581 | 40 | 40 | | | Recording each patent assignment per property (times number of properties) | |
| 146 | 246 | 740 | 370 | | | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 | 249 | 740 | 370 | | | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 | 279 | 740 | 370 | | | Request for Continued Examination (RCE) | |
| 169 | 169 | 900 | 900 | | | Request for expedited examination of a design application | |
| Other fee (specify) | | | | | | | |

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0.00

SUBMITTED BY

Name (Print/Type) Neil C. Jones
Registration No. 35,561
Telephone 864/250-2260
Signature *Neil C. Jones*
Date 01/04/2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Falder, Stephen Brian; Rawden, David
Application No.: Unknown Group No.: Unknown
Filed: 01/04/2002 Examiner: Unknown
For: ANTI-MICROBIAL COMPOSITION

U. S. Patent & Trademark Office
Commissioner for Patents
Box Patent Applications
Post Office Box 2327
Arlington, VA 22202

EXPRESS MAIL CERTIFICATE

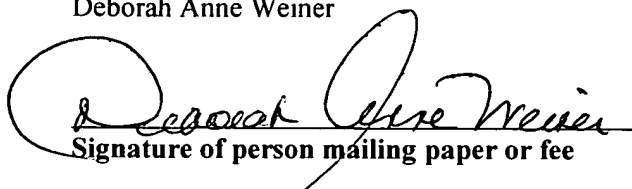
"Express Mail" label number ET710728557US
Date of Deposit 01/04/2002

I hereby state that the following *attached* paper or fee

1. Express Mailing Transmittal Letter - ET710728557US (1 page).
2. Fee Transmittal (1 page).
3. New Application Transmittal (6 pages).
4. Application, including Abstract and Drawings (68 pages).
5. Preliminary Amendment (13 pages).
6. Return Postcard.

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. section 1.10, on the date indicated above and is addressed to the United States Patent & Trademark Office, Commissioner for Patents, Box Patent Applications, PO Box 2327 Arlington, VA 22202.

Deborah Anne Weiner


Signature of person mailing paper or fee